

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
EDWARD E. BARBER,

Plaintiff,

9:04-CV-1173  
(LEK)(DRH)

v.

FEDERAL COMMUNICATIONS COMMISSION; UNITED STATES ATTORNEYS OFFICE; ABC TELEVISION NETWORK (President & General Manager); NATIONAL FOOTBALL LEAGUE (Commissioner); GEORGIA DEPARTMENT OF CORRECTIONS,

Defendants.

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APPEARANCES:

EDWARD E. BARBER  
Plaintiff, *pro se*  
228206  
Georgia State Prison  
HC01 Star Route  
Reidsville, GA 30253

LAWRENCE E. KAHN, DISTRICT JUDGE

**DECISION and ORDER**

By Order of this Court filed December 6, 2004, *pro se* plaintiff Edward E. Barber was directed to file an amended complaint which stated a cause of action against the named defendants upon which relief could be granted by this Court if he wished to avoid dismissal of this action. Dkt. No. 3 (the "December Order"). Plaintiff filed an amended complaint in response to that Decision and Order, which is before the Court for review. Dkt. No. 5.

Plaintiff's amended complaint does not differ materially from his original pleading. Plaintiff states that he is "president and royal commander acting as consultant" to "The Knights of the Round Table," which he identifies as a non-profit business association which attempts to sponsor amateur sports within the community.

Dkt. No. 5 at 1-2. As he did in the original pleading, plaintiff asserts in his amended complaint, in a rambling and nearly incomprehensible manner, that the broadcasting of professional sports events on television violates his civil and constitutional rights, and alleges that the defendants are impermissibly engaged in an illegal enterprise whereby Georgia state prison inmates are gambling on the outcome of televised sports events. *Id.* at 2-3. Plaintiff also claims that his business relationships have been improperly interfered with by Georgia prison officials, and that he has been harassed and mistreated by prison guards. For a complete statement of plaintiff's claims, reference is made to the amended complaint.

For all of the reasons set forth in the Court's prior Decision and Order (see Dkt. No. 4 at 2-6), the Court finds that the amended complaint fails to state a claim upon which relief may be granted by this Court. This action is therefore dismissed.

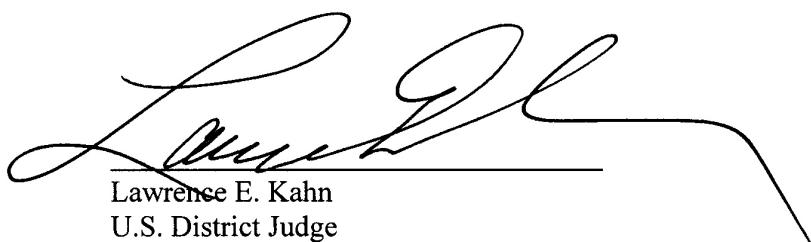
WHEREFORE, it is hereby

ORDERED, that this action is **DISMISSED**, and it is further

ORDERED, that the Clerk serve a copy of this Decision and Order on Barber by regular mail.

IT IS SO ORDERED.

Dated: April 14, 2005  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge